IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.37325-M of 2006 (O&M)

DATE OF DECISION: JANUARY 29, 2007

Vinod Kumar and another

...PETITIONERS

VERSUS

State of Punjab and another

...RESPONDENTS

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.Ritesh Pandey, Advocate,
for the petitioners.

...

The petitioners have filed Crl.Misc.No.4819 of 2007 for stay of the proceedings before the Appellate Court. The appeal filed by the petitioners against the judgment of conviction and order of sentence is pending before Additional Sessions Judge, Jalandhar. Counsel for the petitioners contends that during the pendency of the said appeal, the parties have amicably settled their disputes and in view of the said compromise, a decree of divorce has also been passed. The main case for quashing of the FIR and the subsequent proceedings arising therefrom is fixed before this Court for 6.3.2007. Counsel for the petitioners has made an oral request for preponing the date. He further prayed that the petitioners want to withdraw the main case with liberty to raise the point of compromise before the first Appellate Court.

The hearing of the main case is preponed to today on the statement of the counsel for the petitioners. On the statement of the counsel for the petitioners, the main petition is ordered to be dismissed as withdrawn with liberty to the petitioners to raise the point of compromise

arrived at between the parties before the Appellate Court. If any such point is raised, the Appellate Court will take into consideration the law laid down in B.S.Joshi and Ors. v. State of Haryana and Anr., JT 2003 (3) SC 277.

January 29, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE